

V. REMARKS

Claims 1, 2, 5, 6 and 8-10 are objected to because all the informalities. The claims are amended to obviate the objection. Withdrawal of the objection is respectfully requested.

Claim 1 is rejected under 35 U.S.C. §102(b) as being anticipated by public use of piano with reference to Feidner (U.S. Patent Application Publication No. 2004/0003704) and Bach (U.S. Design Patent No. D154,737). Claims 1 and 2 are rejected under 35 U.S.C. §102(b) as being anticipated by Wedel (WO 2002/101687)). Claims 1, 3 and 4 are rejected under 35 U.S.C. §102(b) as being anticipated by Nagasaka et al. (U.S. Patent No. 4,513,650). Claims 1, 5 and 7 are rejected under 35 U.S.C. §102(b) as being anticipated by Simanski (U.S. Patent No. 4,419,921). Claims 1 and 6 are rejected under 35 U.S.C. §102(b) as being anticipated by Simanski (U.S. Patent No. 4,679,482). Claims 1 and 8 are rejected under 35 U.S.C. §102(b) as being anticipated by Stelzer (EP 71688). Claims 1 and 9-12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Meisel (U.S. Patent No. 6,194,643) in view of Brann (U.S. Patent No. 5,550,321).

The rejections are respectfully traversed.

Claim 1 as amended is original claim 1 combined with the features of claim 5 as well as the feature of a restricting element, namely, "... so that the marked scale is superposed on each of the keys when the performance support plate is slid...". Except for the amendments addressing the objection to the claims for informalities, claims 2-4 and 8-12 contain the original claimed features. Claims 5-7 are canceled and therefore the rejections as applied thereto are now moot.

Support for amended claim 1 can be found in the specification in paragraphs [0014] and [0029] in the specification as well as in Figure 3.

Simanski neither discloses or suggests "a performance support plate which is

marked with a scale, being disposed on the keys slideable in a plane where the keys are arranged so that the marked scale is superposed on each of the keys when the performance support plate is slid" as now recited in amended claim 1. The keyboard shield 10 in Simanski differs from the "the performance support plate" as recited in claim 1 of the present invention on the point that the keyboard shield 10 interrupts a player's line of sight to the keys. In addition, the slideable member in Simanski is not the keyboard shield 10 but the lid 26 employed to cover the keys when the piano is not in use (column 3 lines 7-14).

According to the present invention recited in claim 1, the performance can be more easily carried out for beginners. Particularly, as cited in [0037] of the specification, the performance support plate can be readily slid because the top surface of the keys is substantially flat (a keyboard portion made only of keys in which tone intervals are arranged so as to repeat an arrangement of whole step, whole step, half step, whole step, whole step, whole step and half step, that is, since there is no black keyboard.

It is respectfully submitted that the 102 rejections are improper because the applied art fails to teach each and every element of claim 1 as amended and discussed above. With regard to the 103 rejection, it is respectfully submitted that none of the applied art, alone or in combination, teaches or suggest the features of claim 1 as amended and discussed above. Thus, one of ordinary skill in the art would not be motivated to combine the features of the applied art because such combination would not result in the claimed invention. As a result, it is respectfully submitted that claim 1 as well as the claims depending therefrom is allowable over the applied art.

Withdrawal of the rejection is respectfully requested.

Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to submit those other reasons and to argue for the patentability of claims not

explicitly addressed herein in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

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Enclosure(s):      Amendment Transmittal

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